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DANIELLE WARREN and all others similarly situated

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Attorneys for Defendant
PAYCHEX, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIELLE WARREN, and all others
similarly situated,

Plaintiff,

v.

PAYCHEX, INC.

Defendant.

Case No. C 10-02006 JCS

**STIPULATION AND [PROPOSED]
ORDER PERMITTING DISCLOSURE OF
CONTACT INFORMATION OF
PUTATIVE CLASS MEMBERS**

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Stipulation and
proposed order.

Case No. C 10-02006 JCS

STIPULATION AND [PROP] ORDER REGARDING DISCLOSURE OF CONTACT INFO

1 Plaintiff Danielle Warren (“Plaintiff”) and Defendant Paychex, Inc. (“Defendant”)
2 (collectively, the “Parties”), by and through their respective counsel of record, stipulate and
3 agree as follows:

4 WHEREAS, the Parties have agreed to mediate this putative class action case on
5 January 12, 2011; and

6 WHEREAS, for the mediation to be productive, Plaintiff seeks to contact and
7 interview putative class members, and therefore seeks putative class member contact
8 information from Defendant; and

9 WHEREAS, Counsel for the Parties conferred about disclosure of putative class
10 member contact information. Per those discussions, Defendant agreed to produce contact
11 information for certain putative class members, but, due to the potential privacy concerns of
12 providing the personal information of its employees, Defendant will agree to produce such
13 contact information only if the Court first authorizes the disclosure (and according to other
14 agreed-upon terms, such as the putative class members whose information will be disclosed,
15 the method of disclosure, etc.); and

16 WHEREAS, Defendant proposed that the Parties stipulate to ask the Court to issue an
17 order permitting Defendant to disclose putative class member contact information; and

18 WHEREAS, Plaintiff does not believe Court authorization is necessary for disclosure
19 of putative class member contact information. However, in order to facilitate discovery in
20 advance of mediation, Plaintiff agreed to Defendant’s proposal to request Court authorization
21 for disclosure.

22 The parties hereby stipulate and agree as follows.

23 1. Provided the Court issues an Order authorizing disclosure of the contact
24 information of the putative class by Defendant, no later than seven (7) business days after
25 Defendant’s Counsel receives notice of the Court’s executed Order, Defendant will deliver to
26 Plaintiff’s Counsel a list of the names, last-known addresses, and last-known phone numbers
27

Stipulation and
proposed order.

of all putative Class Members, in an electronic spreadsheet such as Microsoft Excel. For purposes of this Stipulation and proposed Order, “putative Class Members” shall mean all persons who have been employed in California by Defendant Paychex, Inc. as Sales Representatives in the first six-months of their employment in that position in California at any time since May 10, 2006.

Dated: October 21, 2010

RUDY EXELROD ZIEFF & LOWE LLP

By: /s/ Steven G. Zieff
STEVEN G. ZIEFF
DAVID A. LOWE
JOHN T. MULLAN

Dated: October 21, 2010

NELSON LAW GROUP

By: /s/ Robert S. Nelson
ROBERT S. NELSON

Attorneys for Danielle Warren and all others
similarly situated

Dated: October 21, 2010

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Jack S. Sholkoff
Jack S. Sholkoff
Beth A. Gunn

Attorneys for Defendant
PAYCHEX, INC.

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Stipulation and
proposed order.

PURSUANT TO THE ABOVE-NOTED STIPULATION, THE COURT HEREBY
ORDERS THAT:

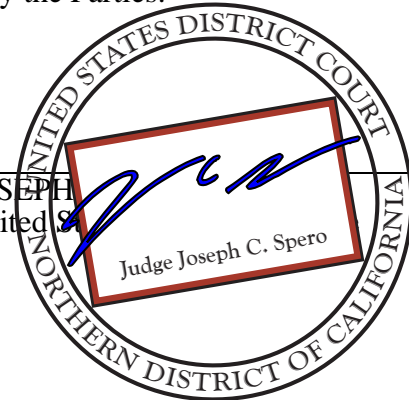
Defendant is authorized to disclose putative class member contact information to
Plaintiff, subject to the stipulated protective order that is in place in this case, and also
subject to the above stipulated terms agreed to by the Parties.

IT IS SO ORDERED.

Dated: 10/22, 2010

By: _____

JOSEPH
United States



Stipulation and
proposed order.